

REMARKS

This amendment is responsive to the Office Action mailed March 17, 2008.

As requested, the specification is amended herewith to remove the title of the application from the Abstract page. The Examiner's attention to detail in this regard is appreciated.

Claims 13-16 were rejected under 35 USC §101 as being allegedly drawn to non-statutory subject matter. Reconsideration and withdrawal of these rejections is hereby respectfully requested, for the reasons indicated below.

As the Examiner will note, independent claim 16 has been amended to include a computer, a network, and a data source accessible by the computer over the network. The claim now positively includes "computer hardware for executing the claim's limitations," as specifically requested by the Office. Reconsideration and withdrawal of the 35 USC §101 rejection of claims 13-16, is, therefore, respectfully requested.

Claims 1, 2, 4-5, 9 and 12-13 were rejected under 35 USC §103(a) as being unpatentable over Taylor in view of Andrews. Reconsideration and withdrawal of these rejections is hereby respectfully requested, for the reasons indicated below.

It is noted that the response filed December 10, 2007, was effective in overcoming the then-outstanding §102(b) rejections of the claims. The outstanding §103(a) rejection (see page 5) adds the Andrews reference and states that Taylor teaches all but *allowing the user to define a data format; the data being contacts*.

However, the undersigned disagrees with the Office's contention. Indeed, Taylor does not teach or suggest:

allowing a user to define a plurality of rules that operate on data formatted according to the data format, wherein the rules are intended to assess a quality of data;

executing the plurality of rules on the mapped data to produce a set of analyzed data that allows evaluation of potential contacts according to an assessed quality of the data.

The Office, however, posits that these steps are taught in Taylor in paragraphs [0040] and [0046]. Taylor's paragraph [0040], however, teaches ordering the virtual wells or spots (of biological samples) based upon their attributes:

each of the virtual spots or wells. For example, the researcher can order the virtual spots or wells in a virtual array from left to right starting with the highest numbers first. In other embodiments, the ordering of the virtual spots or wells in a virtual array is based on an alphabetical ordering of a word or alphanumeric descriptor found in a common attribute field for each of the virtual spots or wells. For example, the researcher may order the virtual spots or wells in a virtual array from left to right starting with A and ending with Z based on a word found in a common attribute field. In other embodiments, the ordering of the virtual spots or wells in a virtual array may be based on a set of user-defined rules that use a word, number, or alphanumeric descriptor found in a common attribute field for each of the virtual spots or wells. For example, the ordering of the virtual spots or wells in a virtual array may be determined by user-defined rules that break the virtual spots or wells in a virtual array into groups based on a common attribute and then orders these groups from left to right. In another

The rules envisaged by Taylor include user-defined rules to *order the virtual spots or wells in a virtual array* of biological samples. This has absolutely nothing to do with defining a plurality of rules that operate on data formatted according to the data format, as required by the claims. For example, Taylor teaches *to order* (e.g., from left to right – see [0040], lines 8-9) based upon a numerical or alphanumeric descriptor in an attribute field, which is wholly unrelated to the claimed subject matter. That the Taylor reference includes the word *rules* or *orders virtual spots or wells* in accordance therewith does not, even in combination with Andrews, operate to render the claims unpatentable under §103(a). It is important to remember that the Taylor reference does not even

include the words *contact*, *potential contact*, or any method of evaluating either, as previously pointed out. It is respectfully submitted that the skilled artisan would have found Taylor's methods *of ordering virtual spots or wells* of biological samples to be no help whatsoever, whether or not this skilled artisan were in full possession of the secondary Andrews reference.

Indeed, while the primary reference does not even include the words *contact* or *potential contact*, the Andrews reference (which is relied upon for its alleged teaching of *defining a data format, the data being contacts*) does not even include the word *format* or any reasonable equivalent thereto. Even before a substantive examination of the Andrews reference is carried out, it is respectfully submitted that the applied combination of a primary reference that does not include the words *contact* or *potential contact* and of a secondary reference that does not include the word *format*, **cannot** render the pending claims obvious, as the *prima facie* case has not been made.

Indeed, the Office advances that Andrews teaches *allowing a user to define a data format* in paragraphs [0079] to [0081] and *the data being contacts* in paragraph [0006]. However, as noted above, the word *format* does not even appear in this reference.

Paragraphs [0079] to [0081] of Andrews are sufficiently brief so as to be reproducible herein in their entirety:

[0079] Database 20 is divided into a Sales Personnel Information Section (SPIS) 90, an Organizational Information Section (OIS) 94, and a Client/Lead Information Section (CLIS) 96. Sections 92, 94 and 96 within database 20 are interconnected to update and retrieve the information as required.

[0080] In an exemplary embodiment, SLMS utilizes a software that allows the user to produce a series of sales and sales management reports on demand. The software may be utilized on a stand alone computer system or may be downloaded through an intranet or the Internet. The software includes a feature for recording specific tasks that need to be completed and links these tasks to a contact. This feature helps a sales person manage their daily activity without using another software such as project management.

[0081] The software has a 4 level hierarchy with different features for level 4 sales representatives versus level 1, 2 and 3 managers. The critical aspects for managers is the ability to assign and reassign leads to lower levels and to view all activity of the lower levels reporting to them. The software provides an on-line help feature to assist the user in quick learning.

Paragraph [0079] details how the database 20 is organized into sections (Sales Personnel Information Section, Organization Information Section and a Client/Lead Information Section).

Paragraph [0080] details how the *SLMS utilizes a software that allows the user to produce a series of sales and sales management reports on demand*. Specific tasks are linked to a contact, and *helps a sales person manage their daily activity*.

Paragraph [0081] tells us that the *software has a 4 level hierarchy with different features*. This does not, as alleged by the Office, teach or suggest *allowing a user to define a data format*, whether Andrews is considered alone or in combination with Taylor.

Likewise, the Sales Lead Management System (SLMS) discussed in paragraph [006] provides no further teaching or suggestion of the claimed embodiments to the skilled artisan. Indeed, paragraph [006] teaches that *the SLMS captures all sales lead information and provides on-line, up-to-date information upon request* and tracks the leads from inception to completion:

[0006] A Sales Lead Management System (SLMS), in one embodiment, includes a web-enabled interactive database to automate a process for sales leads tracking and management. The SLMS captures all sales lead information and provides on-line, up-to-date information upon request. The SLMS tracks deals from inception to completion and provides a status of these deals to users. Deals are often referred to as sales leads or simply as leads. In the exemplary embodiment, the system utilizes a Relational Database with a client user interface front-end for administration and a web interface for standard user input and reports. Information is accessed in the database through Structured Query Language (SQL). The SLMS includes a sales lead database for use in automating documentation, monitoring and tracking activities associated with management of sales leads.

It is respectfully submitted that combining a method *to order the virtual spots or wells in a virtual array* of biological samples (Taylor) with *Sales Lead Management Software* (Andrews) would result in nothing, and cannot, even in our post KSR environment, teach or suggest the claimed methods, even when the alleged motivation to combine is a throw-away *for commerce purposes*, as indicated on page 5 of the Office Action mailed March 17, 2008. This is especially true as the primary reference does not include the word *contact* and the secondary reference does not include the word *format*, terms and concepts each of which was relied upon in the outstanding Office Action.

The Examiner's attention is now drawn to independent claim 13. Here, the Taylor-Andrews applied combination fails to teach or to suggest:

a user interface component configured to allow one or more users to define a data format; define a plurality of rules that operate on, and are intended to assess a quality of, data formatted according to the data format; and map data identifying a plurality of contacts from the data source to the data format; and

This is because Taylor does not teach allowing users to define data formats, nor any data formatted according to a user-defined format, as discussed above. Specifically, Taylor does not teach any user interface for enabling the same. Taylor also does not teach any user interface or any other means for mapping data identifying a plurality of contacts (no contacts are taught in Taylor) from the data source to the data format (no user-defined data formats are taught by Taylor), as claimed. Moreover, as has been shown above, Andrews does not teach or suggest the very subject matter for which it was relied on; namely, *allowing a user to define a data format; the data being contacts*, whether considered alone or in combination with Taylor.

The Taylor-Andrews also does not teach or suggest:

a rules engine component configured to execute the plurality of rules on the mapped data to produce a set of analyzed data that allows evaluation of potential contacts according to an assessed quality of the data, the rules engine being further configured to provide at least a portion of the analyzed data set to the one or more users.

as no set of analyzed data is produced by Taylor that would allow an evaluation of potential contacts according to an assessed quality of the data, even allowing for an overly broad reading of Taylor, and as no data format is taught, discussed or suggest by Andrews.

Taylor is concerned with analyzing attribute data of *virtual spots or wells* of biological specimen.

Andrews is concerned with software to manage sales leads.

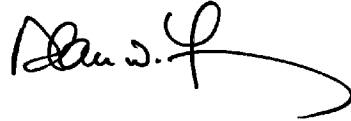
No reasonable interpretation of either reference can stretch this combination to encompass, teach or suggest the metes and bounds of the claims. As repeated above, the primary reference does not teach or suggest any *contacts* and the secondary reference does not teach or suggest any *format*, or uses thereof.

In view of the foregoing, it follows that the applied combination cannot be said, or reasonably interpreted to teach, or in any way suggest, for example, the claimed *rules engine component configured to execute the plurality of rules on the mapped data to produce a set of analyzed data that allows evaluation of potential contacts according to an assessed quality of the data*.

Reconsideration and withdrawal of the 35 USC §103(a) rejection of the claims is, therefore, respectfully requested.

Applicants believe this application is now in condition for allowance. If any unresolved issues remain, please contact the undersigned attorney of record at the telephone number indicated below and whatever is necessary to resolve such issues will be done at once.

Respectfully submitted,



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By: _____

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